

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Telscape Communications, Inc.,

Complainant,

vs.

Pacific Bell Telephone Company,

Defendant.

Case 02-11-011
(Filed November 5, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING REVISED SCHEDULE**

The Assigned Commissioner's Ruling and Scoping Memo (Scoping Memo) issued January 15, 2003 set a schedule for this proceeding. On March 7, 2003, the petitions to intervene of AT&T Communications of California, Inc. (AT&T) and WorldCom, Inc. (WorldCom) were granted. At a second prehearing conference (PHC) held by telephone on March 18, 2003, all four parties proposed a revised schedule to accommodate discovery and preparation for the evidentiary hearing (EH), which are more complex than originally envisaged. On May 8, 2003, the Commission extended the deadline for the completion of this proceeding. (D.03-05-022).

At the second PHC, the question of establishing a cut-off for discovery in this proceeding was discussed. The revised schedule does not set a limit on propounding discovery, but requires the parties to complete discovery prior to

the third PHC. It is important that any discovery disputes be resolved expeditiously. The parties must promptly meet and confer in a good faith effort to resolve any disputes. If that fails, any party may promptly file a written motion in accordance with Rule 45.

The schedule for this proceeding is hereby revised as set forth below.

Revised Schedule

June 18, 2003	Distribution of complainant's and intervenors' prepared testimony to all parties; copy to ALJ
August 4, 2003	Distribution of defendant's prepared testimony to all parties; copy to ALJ
August 28, 2003	Distribution of complainant's and intervenors' prepared rebuttal testimony to all parties; copy to ALJ
September 4, 2003	Discovery completed
September 8, 2003 10:00 a.m.	Third prehearing conference, Commission Courtroom, San Francisco
September 15--19, 2003 9:00 a.m.	Evidentiary hearing, Commission Courtroom, San Francisco
October 14, 2003	Concurrent opening briefs
October 31, 2003	Concurrent reply briefs; submission of case
December 30, 2003	Presiding Officer's decision filed within 60 days of submission
January 30, 2003	Presiding Officer's decision becomes effective 30 days after mailing (unless

	appeal filed per § 1701.2(a) and Rule 8.2)
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IT IS RULED that:

1. The schedule for this proceeding is revised as set forth herein.

Dated May 9, 2003, at San Francisco, California.

/s/ Anne E. Simon

Anne E. Simon
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Revised Schedule on all parties of record in this proceeding or their attorneys of record.

Dated May 9, 2003, at San Francisco, California.

/s/ Antonina V. Swansen

Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.